

ESTTA Tracking number: **ESTTA516952**

Filing date: **01/18/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|---------------------------|--|
| Proceeding | 91198858 |
| Party | Plaintiff CaseCentral, Inc. |
| Correspondence Address | WILLIAM J FRIMEL HEFFERNAN SEUBERT & FRENCH LLP 1075 CURTIS STREET MENLO PARK, CA 94025 UNITED STATES bill@hsflp.com |
| Submission | Testimony For Plaintiff |
| Filer's Name | William J. Frimel |
| Filer's e-mail | bill@hsflp.com |
| Signature | /William J. Frimel/ |
| Date | 01/18/2013 |
| Attachments | CaseCentral - Notice of Filing Deposition Transcripts - redacted version.pdf (2 pages)(21716 bytes) CaseCentral - TTAB Certificate of Service.pdf (2 pages)(14233 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

| | | |
|--------------------|---|-----------------------------|
| CASECENTRAL, INC., |) | |
| |) | Mark: PRESERVATION |
| |) | CLOUD |
| Opposer, |) | |
| |) | Serial No.: 77/922,469 |
| vs. |) | |
| |) | Opposition No. 91198858 |
| NEXTPOINT, INC., |) | |
| |) | |
| Applicant. |) | Published in the Official |
| |) | Gazette on November 9, 2010 |
| |) | |

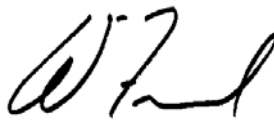
**OPPOSER CASECENTRAL, INC.’S NOTICE OF FILING DEPOSITION
TRANSCRIPTS**

Pursuant to 37 C.F.R. § 2.123, Opposer CaseCentral, Inc. (“CaseCentral”) hereby offers the following, attached deposition transcripts into evidence. The testimonial depositions listed below were noticed by Applicant Nextpoint, Inc., but not filed with the Board.

The transcripts referenced below, and the exhibits attached thereto, are being concurrently submitted on a confidential basis pursuant to the Stipulated Order as to Provisions for Protecting Confidentiality of Information Revealed During Board Proceeding, filed previously on October 5, 2012.

| <u>Exhibit</u> | <u>Description</u> |
|-----------------------|---|
| 1 | Transcript of the Deposition of Michael J. Beumer, Dec. 3, 2012 (does not appear in publicly available version due to confidentiality of testimony) |
| 2 | Transcript of the Deposition of Rakesh Madhava, Dec. 3, 2012 (does not appear in publicly available version due to confidentiality of testimony) |

Dated: January 18, 2013

A handwritten signature in black ink, appearing to read 'WJF', is positioned above a horizontal line.

WILLIAM J. FRIMEL
Attorneys for Opposer
CASECENTRAL, INC.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

| | | |
|--------------------|---|-----------------------------|
| CASECENTRAL, INC., |) | |
| |) | Mark: PRESERVATION |
| |) | CLOUD |
| vs. |) | |
| |) | Serial No.: 77/922,469 |
| NEXTPOINT, INC., |) | |
| |) | Opposition No. 91198858 |
| |) | |
| Applicant. |) | Published in the Official |
| |) | Gazette on November 9, 2010 |
| |) | |

CERTIFICATE OF SERVICE

I, Christopher R. Edgar, am over the age of eighteen and not a party to the above-referenced action. On January 18, 2013, I served the following document by FedEx overnight delivery:

**OPPOSER CASECENTRAL, INC.'S NOTICE OF FILING DEPOSITION
TRANSCRIPTS**

I served the foregoing document by FedEx overnight delivery on the counsel listed below:

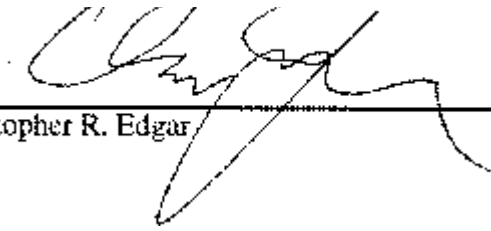
Daliah Saper, Esq.
Saper Law Offices
505 N. LaSalle, Suite 350
Chicago, IL 60654
Attorneys for Applicant Nextpoint, Inc.

I declare under penalty of perjury that the foregoing is true and correct.

//

//

Dated: January 18, 2013



Christopher R. Edgar